

In re:

Debtors.

Plaintiff,

V.

Defendants.

Chapter 11

Case No. 09-50002 (AJG)

Jointly Administered

Adv. No. 09-00505 (AJG)

IT IS HEREBY STIPULATED AND AGREED, by and between the undersigned attorneys, pursuant to Federal Rule of Civil Procedure 41(a)(1), incorporated herein by Federal Rule of Bankruptcy Procedure 7041, as follows:


- (1) Plaintiff, The Liquidation Trust, hereby dismisses without prejudice the following defendants: Thomas W. Sidlik, Eric Ridenour, Rüdiger Grube, and Bodo Uebber.
- (2) Plaintiff also dismisses without prejudice Count VII (Breach of Fiduciary Duty Claim Against the Individual Defendants) and Count VIII (Aiding and Abetting a Breach of Fiduciary Duty Against Daimler, DCNAH, and DC Holding) of the First Amended Complaint.

(3) Each party will bear its own costs and fees as to the above-dismissed defendants and claims.

IT IS FURTHER AGREED that for the purpose of this Notice of Dismissal, a signature made by a facsimile or electronic copy shall have the same force and effect as an original signature.

Dated: New York New York
June 28, 2010

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Corp. and their affiliates*

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Counsel to Thomas W. Sidlik and Eric Ridenour

SO ORDERED:

The Honorable Arthur J. Gonzalez
UNITED STATES BANKRUPTCY JUDGE